THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.9297 of 2005

Dated:20.07.2006

Between:

P.Anjaneyulu goud.

…Petitioner

and

The District Collector, R.R.Dist., and others.

…Respondents

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.9297 of 2005

ORDER:

The petitioner is allegedly in occupation of plot No.14 in Survey No.278 admeasuring 618.33 square yards situated at Vinobanagar, Sainikpuri, Neredmet Village, Malkajgiri Mandal, Ranga Reddy District. It is the case of the petitioner that the said plot was allotted to one P.Venkatesham Yadav from whom the petitioner's vendor purchased the land. The petitioner purchased the same from one G.Surender Reddy under a sale deed dated 19.04.1982 and constructed two rooms. The Revenue Divisional Officer, Chevella, filed L.G.C.No.99 of 1990 on the file of the Court of the Special Court under the Andhra Pradesh Land Grabbing (Prohibition) Act, 1982, claiming the land in survey No.278 as Government land. By judgment, dated 10.09.1993, the Special Court directed the respondents in the LGC to handover possession to the Government. When the decree of the Special Court was sought to be executed, the Government issued orders permitting the occupants to avail the benefit of regularization in

accordance with G.O.Ms.No.508, dated 20.10.1995. Therefore, the petitioner made an application to the third respondent on 06.10.2003 seeking regularization. It is alleged that the application has not been processed, and therefore, he seeks a writ of mandamus directing the respondents to consider the representation for regularization.

The respondents have not filed any counter affidavit. Learned Assistant Government Pleader for Revenue (Assignment) on instructions submits that one Nagabhushanam Rao and Kamala also filed an application claiming regularization of the same land and the petitioner herein filed a suit, being O.S.No.298 of 2005, on the file of the Court of the Principal Junior Civil Judge (West and South), Ranga Reddy District, for perpetual injunction, and therefore, the proposals for regularization were not submitted by the third respondent to the first respondent.

In view of the submissions made by the learned Assistant Government Pleader, this Court holds that there is proper justification for the respondents in not processing the application of the petitioner. Further, as per G.O.Ms.No.508, dated 20.10.1995, if a person is in possession of the land admeasuring 618 square yards, the same cannot be regularized. The said Government Order is intended to regularize the occupation of poor persons to a limited extent of land as mentioned in the Government Order. The petitioner may revise the request after the disposal of the suit.

The Writ Petition, with the above observations and directions, is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

20.07.2006
vs